

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIGUEL A. CISNEROS,

Plaintiff,

v.

JIM ROBERTSON,

Defendant.

Case No. [20-cv-07861-HSG](#)

**ORDER ADDRESSING RECENT
PLEADINGS**

Re: Dkt. Nos. 41, 43, 44, 46


Petitioner, an inmate at Salinas Valley State Prison, filed this *pro se* action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 9, 2022, the Court denied Respondent's motion to dismiss the petition as untimely but granted the motion to dismiss the petition as procedurally defaulted, denied a certificate of appealability, and granted judgment in favor of Respondent. Dkt. Nos. 32, 33. Since the dismissal, Petitioner has filed numerous pleadings in the record, requesting reconsideration of the dismissal. On April 11, 2022, the Court denied the four post-judgment motions docketed at Dkt. Nos. 34, 35, 36, 37, in a reasoned order. Dkt. No. 42.

Since the April 22, 2022 denial of the four post-judgment motions docketed at Dkt. Nos. 34, 35, 36, 37, Petitioner has filed additional pleadings with the Court, Dkt. Nos. 41, 43, 44, 46, and has also filed a notice of appeal with the Ninth Circuit Court of Appeals, Dkt. No. 45. Dkt. Nos. 41 and 43 "advised" the Court that Petitioner had timely filed post-judgment motions for reconsideration pursuant to Fed. R. Civ. P. 59(e) and 60(b) and expressed concern that he had not received a decision or response from the Court. Dkt. Nos. 44 and 46 reiterate his concerns that he was not appointed counsel to assist him in this action despite his many disabilities and limitations and his lack of knowledge regarding the law, and again argue that the Court's dismissal of his

petition was incorrect, erroneous, and just plain wrong. He states that he has responded to all of the Court's concerns regarding his petition, and that he has plainly demonstrated that he is entitled to relief. Dkt. Nos. 44, 46. In dismissing the petition as procedurally defaulted, the Court carefully considered the record and the governing caselaw. The arguments raised in Dkt. Nos. 44 and 46 are variations on the arguments raised previously by Petitioner in his numerous pleadings. The Court has already considered and denied these arguments. Accordingly, to the extent that Dkt. Nos. 44 and 46 are again seeking reconsideration of the Court's dismissal of the petition, the renewed request for reconsideration is DENIED. Any future pleadings filed by Petitioner requesting reconsideration of the dismissal and repeating arguments previously raised will be summarily denied. Similarly, any pleadings "advising" the Court that Petitioner has filed motions, that Petitioner has not received a response to his motions, or that Petitioner requires legal assistance will be summarily denied. This case remains closed.

IT IS SO ORDERED.

Dated: 6/2/2022


HAYWOOD S. GILLIAM, JR.
United States District Judge